

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

STEVE KELLY and CLARICE)	
DREYER,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 2:08-cv-25-SEH
)	
LINDA McCULLOCH, in her official)	
capacity as Secretary of State of the)	
State of Montana,)	
)	
Defendant.)	

[PROPOSED] ORDER

Counsel for Plaintiffs Steve Kelly and Clarice Dreyer (“Plaintiffs”) and Defendant Linda McCulloch, in her official capacity as Secretary of State of the State of Montana, (“Defendant”) (collectively “the Parties”) have filed a joint motion for leave to re-file their Cross-Motions for Summary Judgment, the responsive papers, and the attached exhibits. The Parties have also moved to postpone the status conference, currently scheduled for March 25, 2011, at 10:00 a.m.

The Parties’ Joint Motion is hereby GRANTED. Within seven (7) days hereof, the Parties shall exchange copies of their Cross-Motions for Summary Judgment, responsive papers, and attached exhibits so that any

citations to opposing counsel's briefs and exhibits may be corrected. Within fourteen (14) days hereof, the Parties shall file their respective Motions for Summary Judgment, their responsive papers, and the attached exhibits with the Court. The Parties shall eliminate any portions of their briefs and any exhibits pertaining solely to the standing question, but they shall not include any additional exhibits not submitted with the original pre-appeal filings. Since the Parties now agree that there are no remaining material factual disputes, the Parties shall not re-file their respective Statements of Genuine Issues.

The status conference, which is currently scheduled for March 25, 2011, at 10:00 a.m., is hereby VACATED. The status conference will be postponed pending further notice of the Court.

IT IS SO ORDERED, this _____ day of _____, 2011.

Signed,

HON. SAM E. HADDON
United States District Judge